

STATE: MINNESOTA
Effective: April 1, 1998
TN: 98-14
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NURSE AIDE TRAINING AND COMPETENCY EVALUATION PROGRAMS

Social Security Act

§1919(e)(1)(A)

The Department responsible for the initial approval of nurse aide training program curriculum and nurse aide competency evaluation programs is the Minnesota ~~Board of Nursing~~ Department of Health under contract to the Department of Human Services.

§1919(e)(1)(B)

The Department responsible for the ongoing review and reapproval of nurse aide training program curriculum and nurse aide competency evaluation programs is the Minnesota ~~Board of Nursing~~ Department of Health under contract to the Department of Human Services.

Agencies involved in developing and administering nurse aide training and competency evaluation programs:

- Minnesota Department of Human Services
- Minnesota Department of Health
- ~~Minnesota Board of Nursing (MBN)~~
- Minnesota State Board of Vocational Technical Education
- ~~Interagency Board for Quality Assurance~~

~~Effective As of January 1, 1989, to receive State approval for a nurse aide training and competency evaluation program programs or a nurse aide competency evaluation program, programs that met~~ minimum program standards ~~must be met~~ received State approval. These standards are based on mandates of P.L. 100-203, the Omnibus Budget Reconciliation Act of 1987 (OBRA '87), and on Minnesota law.

The Minnesota ~~Board of Nursing~~ Department of Health is charged with developing necessary standards to meet OBRA requirements, administering the initial competency evaluation program, and conducting the state reviews of compliance with program requirements. The Minnesota State Board of Vocational Technical Education is charged with developing necessary curricula to meet the requirements of this State plan attachment.

~~In 1989, the Minnesota Board of Nursing will give~~ gave initial approval of nurse aide training programs ~~in 1989~~. Subsequent on-site reviews of programs ~~will be~~ are conducted by ~~MBN the Minnesota Department of Health~~ at least every two years. ~~During the interim year, programs will be required to submit documentation to MBN regarding program compliance.~~

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Approval must be obtained prior to conducting a nurse aide training program. Programs will be approved or disapproved based upon their compliance with the standards established for programs offered in Minnesota. Nurse aide training and competency evaluation program standards are available to the public from ~~MBN~~ the Minnesota Department of Health and the Nurse Aide Registry. Training program curriculum developed by the Minnesota State Colleges and University Board of Vocational Technical Education ~~will be~~ or the Minnesota Department of Health are available for purchase at a minimal fee.

There ~~will be~~ was a mandatory competency evaluation program for all nurse aides employed by a nursing facility as of July 1, 1989. Nurse aide training programs ~~that were~~ in existence and offered from January 1, 1989 until January 1, 1990 that ~~have met~~ State statutory requirements for approval and also ~~meet~~ the Secretary's requirements for approval ~~will be~~ were deemed to have met necessary OBRA requirements. Individuals that ~~have had~~ completed such programs may be ~~were~~ deemed to have completed a training and competency evaluation program, and ~~will be~~ were included in the nurse aide registry. Those individuals employed as nurse aides in Minnesota who ~~have did not completed~~ complete an approved program ~~will be~~ were subject to the competency evaluation program ~~to be~~ conducted between July 1, 1989 and December 31, 1989.

As of October 1, 1990, nursing facilities must not use on a full time basis any individual as a nurse aide for more than four months unless the individual has successfully completed either a nurse aide training and competency evaluation program or a competency evaluation program approved by the Minnesota Department of Health. As of January 1, 1991, nursing facilities must not use on a temporary, per diem, leased, or on any other basis other than as a permanent employee, any individual as a nurse aide unless the individual successfully completed either a nurse aide training and competency evaluation program or a competency evaluation program approved by the Minnesota Department of Health.

MBN will hire The Minnesota Department of Health, or contract with approves community and technical colleges to provide sufficient qualified staff to conduct the initial competency evaluations. The Minnesota State Colleges and University Board of Vocational Technical Education will administer administers competency evaluations for the ongoing facility-based training programs.

A standard test will be was used for the initial competency evaluation of currently employed nurse aides. Ongoing competency evaluation programs may use a similar test or the State may develop a competency evaluation with Minnesota-specific questions. The Department contracts with Assessment Systems, Inc. (ASI), which develops, scores, and reports the results of the competency examination to the Minnesota Nursing Assistant Registry, maintained by the Minnesota Department of Health.

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Nurse aides need not pass the written/oral component before taking the skills component of the competency evaluation. Nurse aides who do not successfully complete the competency evaluation will be allowed two additional opportunities to successfully complete it.

NURSE AIDE REGISTRY

Social Security Act
§1919(e)(2)

The Department responsible for the establishment and maintenance of a registry of trained and competent nurse aides is the Minnesota Board of Nursing (MBN) Department of Health, the State survey agency, under contract to the Minnesota Department of Human Services (the single State agency) and the Minnesota Department of Health (the State survey agency).

~~Prior to 1992, the Minnesota Board of Nursing developed and maintained the nurse aide registry. Effective Since January 1, 1989 1992, the MBN will develop Minnesota Department of Health has developed and maintain maintained a nursing assistant the nurse aide registry of individuals employed in skilled nursing facilities and nursing facilities who have successfully completed a state approved nursing assistant training and competency evaluation program of a minimum of 75 hours or a nursing assistant competency evaluation program. The registry will also identify identifies nursing assistants who have successfully completed a retraining program. Information on the registry will be is available to the public.~~

~~Currently employed nursing assistants Nurse aides, working (as of June 30, 1989), will be were required to successfully complete a nursing assistant nurse aide competency evaluation program between July 1, 1989 and December 31, 1989 to be included in the registry. Beginning As of July 1, 1989, newly employed nursing assistants nurse aides must successfully complete a state approved nursing assistant training and competency evaluation program of at least 75 hours to be included in the registry.~~

~~After January 1, 1990, A nursing facility must not employ an individual as a nursing assistant nurse aide unless the facility has inquired of the MBN registry Minnesota Department of Health and the Nurse Aide Registry as to the information in the registry concerning that individual.~~

~~Pursuant to 42 CFR §483.156(c), the following items will be are the minimum information maintained in and retrievable from the nurse aide registry for each individual listed there:~~

- current full name and address at the time the competency evaluation was conducted;
- date of birth;
- Social Security Number and any other information necessary to identify each individual;

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- ~~SNF or NF where employed or most recent date and place of employment; and~~
 - name and address of approved training and competency evaluation program and date successfully completed; and
 - substantiated findings of abuse, neglect, or misappropriation of resident property.

The above data will be reported to the registry within ~~60~~ 30 days of successful completion of the training and competency evaluation program or competency evaluation program.

Additional data that is requested of people applying for the nursing assistant registry is found in Attachment 4.38-A.

Nursing assistants will be responsible for informing the registry of any changes in their:

- name;
- address; and
- place of employment.

An individual on the registry who has not performed nursing or nursing-related services for at least eight hours for monetary compensation for a continuous 24-month period after completion of a training and competency evaluation program; is removed from the registry (exception: an individual found to have abused or neglected residents or misappropriated resident property) and must complete a new training and competency evaluation program in order to remain in be placed back on the registry.

~~Beginning Since~~ October 1, 1990, the registry ~~will also contain information addressing the substantiated findings of any State investigations concerning resident abuse or neglect or misappropriation of resident property by a nursing assistant or any other individual employed in a nursing facility, and contains~~ a brief statement (if any) by the individual disputing the findings. In the case of inquiries to the registry concerning an individual listed in the registry, the information disclosed must also include a clear and accurate summary of the finding of resident abuse/neglect or misappropriation of resident property. Findings of resident abuse or neglect or misappropriation of resident property are included in the registry within ten working days and must remain there permanently, unless the finding was made in error, the individual was found not guilty in a court of law, the State is notified of the individual's death, or, in the case of neglect, the individual successfully petitioned the Minnesota Department of Health (see Attachment 4.40-B). Only the Minnesota Department of Health, based on the documented findings, ~~will place the individual's name~~ places information concerning substantiated allegations in the registry concerning the substantiated allegation.

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Allegations of resident neglect, abuse, or misappropriation of resident property ~~will be~~ are investigated by the Minnesota Department of Health. No record of the allegation ~~will be~~ is added to the registry until the incident has been investigated, the individual has been accorded a hearing and the allegations have been substantiated; or the individual has waived ~~their~~ his/her right to a hearing.